

Legislative Fiscal Bureau

Fiscal Note

HF 170 - Identity Theft (LSB 1547 HV)

Analyst: Beth Lenstra (Phone: (515) 281-6301) (beth.lenstra@legis.state.ia.us)

Fiscal Note Version — New

Requested By Representative O. Gene Maddox

Description

House File 170 changes the definition of identity theft to mean fraudulent use or attempt to use identification information of another person with the intent to obtain credit, property, or other benefit. The Bill also expands the definition to include the intent to obtain any benefit from the identity theft.

Assumptions

1. Charge, conviction, and sentencing patterns and trends will not change over the projection period.
2. Prisoner length of stay, revocation rates, and other corrections policies and practices will not change over the projection period.
3. A lag of six months is assumed, from the law's effective date to the date of first entry of affected offenders into the correctional system.
4. The median cost per case for an aggravated misdemeanor or a Class D felony is \$1,000.
5. The marginal cost per day for state prisons is \$12 per offender. The average length of stay for new admissions for a Class D felony conviction not against a person is 15 months while an aggravated misdemeanor conviction not against a person is 8 months.
6. The average cost per day for probation or parole is \$1.82 per offender. The average length of stay for a Class D felony conviction is 26 months on probation or 13 months on parole. The average length of stay for an aggravated misdemeanor conviction is 19 months on probation or 5 months on parole.
7. The average cost per case for the court system for aggravated misdemeanor trial ranges from \$76 to \$466, depending if a jury is used. These costs include the time of a court reporter, court attendant, Clerk of Court staff, and a District Associate Judge or District Court Judge, if applicable.
8. The average cost per case for the court system for a Class D felony trial ranges from \$195 to \$1,040, depending if a jury is used. These costs include the time of a court reporter, court attendant, Clerk of Court staff, and a District Associate Judge.

Correctional Impact

One hundred and sixteen offenders were convicted for identity theft in FY 2002. House File 170 will result in more convictions. However, no readily available data exists with which to estimate how many additional convictions will occur. To the extent that additional convictions do occur, there will be a correctional impact on prisons, jails, and Community-Based Corrections.

Fiscal Impact

Due to insufficient information, the fiscal impact of HF 170 cannot be determined. The State's cost for one aggravated misdemeanor conviction ranges from \$1,100 to \$4,600. The State's cost for one Class D felony conviction ranges from \$1,600 to \$8,200.

Sources

Department of Human Rights, Criminal and Juvenile Justice Planning Division
Department of Corrections
Office of the State Public Defender
Judicial Branch

/s/ Dennis C Prouty

February 18, 2003

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement is available from the Legislative Fiscal Bureau to members of the Legislature upon request.
